

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT LOWELL TAKESENEMY,
JR.,

Defendant.

CR 20–41–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered his Findings and Recommendation November 17, 2020. (Doc. 20.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that the Court accept Defendant Robert Lowell Takesenemy, Jr.’s (“Takesenemy”) guilty plea. Takesenemy appeared before Judge Cavan pursuant to Federal Rule of Criminal Procedure 11, and entered a

plea of guilty to the Indictment, which charges being a prohibited person in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). (*See Sealed Doc. 1.*)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 20) IN FULL.

IT IS FURTHER ORDERED that Robert Lowell Takesenemy, Jr.'s motion to change plea (Doc. 13) is GRANTED, and Robert Lowell Takesenemy, Jr. is adjudged guilty as charged in Indictment.

DATED this 2nd day of December, 2020.



Dana L. Christensen, District Judge
United States District Court